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EXAMINER				
PHUONG, DAI				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/663,034

Applicant(s)

PARK ET AL.

Examiner

DAI A. PHUONG

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/23/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 June 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement filed on 12/08/2006 and 02/11/2004 have been considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-21, 23-24, 26-29, 31-32 and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. (Pub. No.: 20040203946).

Regarding claim 19, Wu et al. disclose a schedule transmission method in a mobile terminal having a short message service (SMS) function and a schedule function, the method comprising the steps of:

determining whether a schedule transmission input for transmitting a schedule recorded in the mobile terminal to another mobile terminal is selected by a user ([0012] to [0013]. Wu et al. disclose a user transmits a calendar message to a receiver mobile device); and

if the schedule transmission input is selected, converting a data format of the schedule into a data format of a schedule-recordable SMS message for recording in a scheduler and transmitting the schedule-recordable SMS message to said another mobile terminal ([0012] to

[0013]. Wu et al. disclose the calendar message is formatted in a short message format and then transmitted to the receiver mobile device. After receiving the calendar short message, it displays the content of the calendar short message or activates a calendar alarm).

Regarding claim 20, Wu et al. disclose all limitations in claim 19. Further, Wu et al. disclose the schedule transmission wherein the step comprises the step of repeatedly transmitting the converted SMS message to a plurality of other mobile terminals in transmitting the schedule-recordable SMS message to the other mobile terminals ([0004]).

Regarding claim 21, Wu et al. disclose all limitations in claim 19. Further, Wu et al. disclose the schedule transmission wherein the data format of the schedule-recordable SMS message obtained by converting the data format of the schedule comprises a parameter distinguishing whether a corresponding message is a common SMS message or a schedule-recordable SMS message ([0013]).

Regarding claim 23, Wu et al. disclose a schedule transmission method in a mobile terminal, comprising the steps of:

if a schedule message transmission input for schedule recording to other mobile terminals is selected by a user, transmitting the schedule message to the other mobile terminals ([0012] and [0014]); and

upon receiving the schedule message, recording schedule information of the received schedule message as a schedule if a schedule recording input is selected by the user ([0012] and [0014]).

Regarding claim 24, Wu et al. disclose all limitations in claim 23. Further, Wu et al. disclose the schedule transmission wherein the schedule message is transmitted using an SMS service ([0012] and [0014]).

Regarding claim 26, Wu et al. disclose all limitations in claim 23. Further, Wu et al. disclose the schedule transmission wherein the step (a) comprises the steps of: determining whether a schedule transmission input for transmitting a schedule recorded in the mobile terminal to the other mobile terminals is selected by the user; and if the schedule transmission input is selected, converting a data format of the schedule into a data format of a schedule-recordable SMS message, and transmitting the schedule-recordable SMS message to the other mobile terminals ([0012] and [0014]).

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 22.

Regarding claim 28, Wu et al. disclose all limitations in claim 23. Further, Wu et al. disclose the schedule transmission wherein the data format of the SMS message obtained by converting the data format of the schedule includes at least one or two or more tags indicating a schedule subject, a date, a time, contents, a schedule lasting time, a phone number of the other party ([0004] and [0012] and [0014]).

Regarding claim 29, Wu et al. disclose all limitations in claim 25. Further, Wu et al. disclose the schedule transmission wherein the step (a) comprises the steps of: determining whether a schedule transmission input for transmitting an SMS message containing schedule information and alert information to another mobile terminal is selected by the user; and if the schedule transmission input is selected, converting a data format of the SMS message into a data

format of a schedule-recordable SMS message, and transmitting the schedule-recordable SMS message to said another mobile terminal ([0012] and [0014]).

Regarding claim 31, Wu et al. disclose all limitations in claim 24. Further, Wu et al. disclose the schedule transmission wherein the step (b) comprises the steps of: upon receiving an SMS message, if the received SMS message is a schedule-recordable message, determining whether a schedule recording key is input; and if the schedule recording key is input, converting a data format of the received SMS message into a format of a data recordable in a scheduler and recording the converted data in the scheduler ([0012] and [0014]).

Regarding claim 32, Wu et al. disclose all limitations in claim 24. Further, Wu et al. disclose the schedule transmission wherein the step (b) comprises the steps of: upon receiving an SMS message, if the received SMS message is a schedule-recordable message, determining whether a schedule recording key is input; and if the schedule recording key is input, recording a schedule including alert information of the received SMS message ([0012] and [0014]).

Regarding claim 35, Wu et al. disclose all limitations in claim 23. Further, Wu et al. disclose the schedule transmission further comprising the step of recording the received schedule message in a scheduler and then displaying the recorded schedule on an external window if an input for displaying the recorded schedule on the external window is selected by the user ([0012] and [0014]).

Regarding claim 36, Wu et al. disclose all limitations in claim 35. Further, Wu et al. disclose the schedule transmission wherein the step of displaying the recorded schedule on an external window comprises the step of comparing a lasting time of the recorded schedule with a

current time, displaying a corresponding schedule on the external window if a date and a time are identical to the current time, and avoiding displaying the corresponding schedule if the time and the lasting time have elapsed ([0012] and [0014]).

Regarding claim 37, Wu et al. disclose all limitations in claim 19. Further, Wu et al. disclose the schedule transmission wherein the data format of the SMS message obtained by converting the data format of the schedule comprises a parameter identifying the number of recipients to which the schedule is to be transmitted ([0012] and [0014]).

Regarding claim 38, Wu et al. disclose all limitations in claim 19. Further, Wu et al. disclose the schedule transmission wherein the data format of the SMS message obtained by converting the data format of the schedule comprises parameters indicating a length of the schedule contents, an alert date and a time information of the schedule to be recorded, use of an alert tone for the schedule, and a type of the alert tone ([0012] and [0014]).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (Pub. No.: 20040203946) in view of Kang et al. (Pub. No.: 20020152220).

Regarding claim 22, Wu et al. disclose a schedule recording method in a mobile terminal having a short message service (SMS) message reception function and a schedule function, the method comprising the steps of:

if the received SMS message is a schedule-recordable message, determining whether a schedule recording key is input; and if the schedule recording key is input, converting a data format of the received SMS message into a format of data recordable in a scheduler, and recording the converted data in the scheduler ([0012] to [0014])

However, Wu et al. does not disclose upon receiving an SMS message, determining whether the received SMS message is a common SMS message or a schedule-recordable message.

In analogous art, Kang et al. disclose upon receiving an SMS message, the controlling module 20 determining whether the received SMS message is a common SMS message or a schedule-recordable message ([0033]. Note: the controlling module 20 is checking which type a message belongs to; a message type converting unit 22 converting the format of a message to match to other type based on whether it is matched with its intended type. It is obvious that a message includes data fields and these fields indicate whether the message is e-mail or SMS message as well as a common SMS message or a recording SMS message).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile radio of Wu et al. by specifically including using ultra wideband wireless device or impulse radio, as taught by Kang et al., the motivation being in order to display several types of message on the display of a device.

6. Claims 25 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu et al. (Pub. No.: 20040203946) in view of Discolo et al. (Pub. No.: 20010054072).

Regarding claim 25, Wu et al. disclose all limitations in claim 23. However, Wu et al. do not disclose the schedule transmission wherein the schedule message is transmitted using an E-mail over the Internet.

In the same endeavor, Discolo et al. disclose the schedule transmission wherein the schedule message is transmitted using an E-mail over the Internet ([0108]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile radio of Wu et al. by specifically including the schedule transmission wherein the schedule message is transmitted using an E-mail over the Internet, as taught by Discolo et al., the motivation being in order to provide the ability of the user to schedule a meeting request for more desired attendess.

Regarding claim 30, Wu et al. disclose all limitations in claim 29. However, Wu et al. do not disclose the schedule transmission wherein the step of converting a data format of the SMS message into a data format of the schedule-recordable SMS message comprises the step of dividing a data field of an SMS message into at least one or two or more of a subparameter ID (identifier), a subparameter length, an alert mode, an alert time_year, an alert time_month, an alert time_date, an alert time_hours, an alert time_minutes, and an alert time_seconds according to a corresponding schedule, so as to enable another mobile terminal to be able to record the SMS message as a schedule.

In the same endeavor, Discolo et al. disclose the schedule transmission wherein the step of converting a data format of the SMS message into a data format of the schedule-recordable SMS message comprises the step of dividing a data field of an SMS message into at least one or two or more of a subparameter ID (identifier), a subparameter length, an alert mode, an alert time_year, an alert time_month, an alert time_date, an alert time_hours, an alert time_minutes, and an alert time_seconds according to a corresponding schedule, so as to enable another mobile terminal to be able to record the SMS message as a schedule (fig. 11A and 11B and [0138] to [0140]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mobile radio of Wu et al. by specifically the schedule transmission wherein the step of converting a data format of the SMS message into a data format of the schedule-recordable SMS message comprises the step of dividing a data field of an SMS message into at least one or two or more of a subparameter ID (identifier), a subparameter length, an alert mode, an alert time_year, an alert time_month, an alert time_date, an alert time_hours, an alert time_minutes, and an alert time_seconds according to a corresponding schedule, so as to enable another mobile terminal to be able to record the SMS message as a schedule, as taught by Discolo et al., the motivation being in order to provide the ability of the user to schedule a meeting request for more desired attendees.

Response to Argument

7. Applicant's arguments filed 10/23/2008 have been fully considered but they are not persuasive. Please see explanation below.

Applicant, on page 8 of the remark, argues that one comparing Wu with the present invention based on the Examiner's assertions would consider that Wu should perform coding the calendar to the short message or decoding the short message to the calendar. However, the present invention suggests recording the schedule-recordable short message to a schedule with no need of coding or decoding. However, the Examiner respectfully disagrees.

Wu discloses in paragraph 12 that when the user wants to transmit the calendar/schedule message to the receiving mobile device, the calendar/schedule message is coded to be a short message format (SMS format) before transmitting. In other words, the calendar/schedule message is format in short message type (SMS format) before transmitting to the receiving mobile device.

Applicant, on page 9 of the remark, argues that Wu fails to teach converting a data format of a schedule into a data format of a schedule-recordable SMS message and transmitting the schedule-recordable SMS message to another mobile terminal, as recited in independent Claim 19 and similarly recited in independent Claim 23. Even though Wu teaches transmitting a coded calendar, Wu fails to teach sending the calendar in a schedule-recordable format, so that the message can be saved by the scheduler of the receiving mobile terminal without a separate recording effort by the user of the receiving mobile terminal. Wu merely teaches to display the received short message on a "man- machine interface" (see Wu, Abstract) and thus does not teach transferring a calendar message into a message-recordable that can be recorded in the receiving mobile terminal. Therefore, Wu fails to anticipate Claims 19 and 23. However, the Examiner respectfully disagrees.

As mentioned above, Wu discloses in paragraph 12 and 13 that when the user wants to transmit the calendar/schedule message to the receiving mobile device, the calendar/schedule message is coded to be a short message format (SMS format) before transmitting. After receiving the calendar/schedule SMS message, the receiving mobile device decodes and saves/records the calendar/schedule SMS message in a buffer of memory before displaying or setting a calendar alarm. Additionally, in order to activate a calendar alarm based upon the calendar/schedule SMS message, the calendar/schedule SMS message should be recorded in a scheduler. The Examiner is reasonably or broadly interpreted "the calendar/schedule SMS message" is "schedule-recordable SMS message" because the calendar/schedule SMS message is also used for activating/setting a calendar alarm.

Applicant, on page 9 of the remark, argues that the Examiner concedes that Wu does not disclose upon receiving an SMS message, determining whether the received SMS message is a common SMS message or a schedule-recordable message. The Examiner states that Kang suggests these recitations, and asserts that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wu with the alleged suggestions of Kang. Kang merely discloses confirming whether or not the received message is a short message, but fails to teach or suggest determining a kind of the received message in accordance with the present invention. Therefore, Kang fails to supplement the deficiencies of Wu because Wu, Kang, or any combination thereof fails to suggest the recitations of Claim 22. However, the Examiner respectfully disagrees.

Firstly, Wu discloses in paragraph 12-13 that the receiving mobile device determines whether the calendar/schedule SMS message is open or not. If it is not, the receiving mobile device goes to standby mode. Otherwise, it displays the calendar/schedule SMS message or set a calendar alarm. But, Wu does not disclose the receiving mobile device determines whether the received SMS message is a common SMS message or the calendar/schedule SMS message. However, Kang discloses a mobile device determines whether or not the received message is a common short message. Therefore, the Examiner contends that the combination of references show all limitations in claims.

Secondly, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant, on page 10 of the remark, argues that Discolo merely discloses generating meeting requests and group scheduling from a mobile device, but fails to teach or suggest the schedule transmission wherein the schedule message is transmitted using an E-mail over the Internet in accordance with the present invention. Therefore, Discolo fails to supplement the deficiencies of Wu because Wu, Discolo, or any combination thereof fail to suggest the recitations of Claims 25 and 30. However, the Examiner respectfully disagrees.

Firstly, Wu discloses in paragraph 12 to 13 that the calendar/schedule message is transmitted using a short message format over the cellular network. But, Wu does not disclose the calendar/schedule message is transmitted using an E-mail over the Internet. However,

Discolo discloses a requesting meeting message is transmitted using an E-mail over the Internet ([0062] to [0063] and [0107] to [0116]). Therefore, the Examiner contends that the combination of references shows all limitations in claims.

Secondly, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2617

/Dai A Phuong/

Examiner, Art Unit 2617

Date: 01/12/2009

/Alexander Eisen/

Supervisory Patent Examiner, Art Unit 2617